

CATEGORY: Consent

DEPT.: Public Works

TITLE: Final Map Approval—Tract No. 9439,
2124 Rock Street

RECOMMENDATION

Adopt A RESOLUTION APPROVING THE FINAL MAP OF TRACT NO. 9439, ACCEPTING DEDICATIONS AND MAKING FINDINGS AS REQUIRED BY THE CITY CODE, to be read in title only, further reading waived (Attachment 1 of the staff report).

FISCAL IMPACT

The subdivider paid \$63,773 in fees, including \$27,181 in Park Land Dedication fees, and the proposed subdivision will increase property tax revenues.

BACKGROUND AND ANALYSIS

On April 23, 2002, the City Council adopted Resolution No. 16697 conditionally approving a vesting tentative map combining four existing lots. The final subdivision map will convert the existing 60-unit apartment complex to condominiums. Site improvements include upgraded landscaping and pedestrian paths, new carports and additional on-site parking and new common recreational room and children's play area. The disposition of the conditions of approval relating to the final map are as follows (Attachment 2):

1. The owner has complied with the noticing requirements of the City's Condominium Conversion Ordinance by providing the tenants written notice of any City Council hearing associated with this development.
2. The final map was reviewed and is ready for approval and recordation. The subdivision guarantee, the County Tax Collector's letter regarding unpaid taxes or assessments and subdivision security were submitted to the City.
3. The final map was signed and notarized by the owner's engineer, and a copy is attached to this report (Attachment 3).
4. A soils report was prepared and is referenced on the final map.
5. The Park Land Dedication fee was paid.

6. The recording of the below-market-rate (BMR) agreement has been deferred to prior to issuance of any occupancy permit for this development (per the Community Development Department).
7. The proposed public utility easements shown on the map were approved by Pacific Bell, PG&E and AT&T.
8. Covenants, Conditions and Restrictions (CC&Rs) for the homeowners association were approved by the City Attorney and Community Development Department.
9. The off-site and on-site grading and drainage plans (improvement plans) have been approved. The development complies with Chapter 28 of the City Code and the standard design criteria for common green and townhouse-type condominiums.
10. The improvement plans for this project have been approved.
 - a. An improvement agreement was signed and submitted by the developer, together with security bonds for the proposed public and on-site improvements.
 - b. A certificate of insurance with endorsement naming the City as additional insured was submitted to the City by the developer.
11. The developer executed a utility payment agreement and posted a security deposit made payable to the City of Mountain View in accordance with Section 35.38 of the City Code.
12. The developer executed a storm drain hold harmless agreement.
13. The applicant complied with relevant provisions of Chapter 28 of the City Code and with the City's design criteria for common green developments and townhouse-type condominiums.
14. The subdivider complied with all relevant provisions of Chapter 28 of the City Code for the conversion of the apartments to condominiums, including the following items:
 - a. The developer has provided a list of all tenants and shown in writing that the tenants who entered into an agreement to purchase have been or will be provided suitable temporary replacement housing and that the developer will pay additional cost in rent and moving expenses.

- b. The developer has certified in writing the following:
 - Eligible tenants have or will be given at least 90-day right of first refusal to purchase.
 - Each tenant has received written notice of intent to convert to condominium at least 60 days prior to filing of tentative map.
 - Each tenant will be given written notification within 10 days after approval of the final map for the proposed conversion.
 - Each tenant or person applying for a rental of a unit has or will receive all applicable notices and rights now or hereafter as required by City Code and the Subdivision Map Act.
 - c. Because the remodel of the existing buildings is substantial and is required to comply with the current code standards, the Building Division has waived the submittal of the "Condition of Improvements Report" and a "Structural Pest Report."
 - d. Because the remodel of the existing buildings is substantial and is required to comply with the current code standards, the heat loss reports, as set forth by the State Energy Conservation Design Manual for new buildings and the Noise Insulation Standards Report, are waived by the Building Division.
 - e. Because the remodel of the existing buildings is substantial and is required to comply with the current code standards, the submittal of the Code Compliance Survey Report has been waived by the Building Division.
 - f. Because the remodel of the existing buildings is substantial, the project will comply with the Housing Code, Unsafe Structures Code, Building Security Ordinance and requirements in the Fire Code/regulations for smoke detectors and fire alarms.
- 15. The final map is consistent with all requirements of the Development Review and Zoning Administrator's approval, Application No. 763-01-ZA.
 - 16. On-site water, sanitary sewer and storm drain facilities will be privately maintained.
 - 17. The pavement in the common driveway serving the site will be replaced and reconstructed with a minimum traffic index of 4.5.

18. The damaged curbs, wheelchair ramps, sidewalks and driveways adjacent to the site on North Rengstorff Avenue and Rock Street will be replaced.
19. The storm drainage improvements have been modified to comply with City standards.
20. Utility services to the buildings located within the Rengstorff Avenue Underground Utility District No. 36 will be placed underground. The existing overhead services to Units 1 through 8 (Buildings 1 and 2) and the manager's office building will be placed underground.
21. The boundary of the subdivision includes the adjacent street easement.
22. Smoke detectors will be installed in all units.
23. The required Fire Department vehicular access has been provided.
24. "No Parking" signs will be posted along fire lanes, and curbs will be painted red.
25. Address signs at least 6" in height will be visible from the street.
26. Buildings exceeding 5,000 square feet will be provided with automatic fire sprinkler systems.

The developer has paid \$27,181 for Park Land Dedication fees. The fees will be designated for a specific use as part of the annual park land designation process initiated by the Community Services Department.

AGENDA: February 11, 2003

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PUBLIC NOTICING—Agenda posting.

Prepared by:

Approved by:

Leonard Smith
Assistant Engineer

Cathy R. Lazarus
Public Works Director

Kevin C. Duggan
City Manager

LS/6/CAM
911-02-11-03M^

Attachments: 1. Resolution
 2. Tentative Map Conditions
 3. Final Map

cc: Mr. Dan Deibel
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393 Vintage Park Drive, Suite 100
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ZA, APWD—Ko, LDE, SAA—Topley, File (Tract 9439), Chron

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2003

A RESOLUTION APPROVING THE FINAL MAP OF TRACT NO. 9439,
ACCEPTING DEDICATIONS AND MAKING FINDINGS
AS REQUIRED BY THE CITY CODE

WHEREAS, on April 23, 2002, the City Council adopted Resolution No. 16697, Series 2002, approving the tentative map of the subdivision hereafter referred to; and

WHEREAS, the subdivider has filed with the City the final map for said subdivision entitled Tract No. 9439; and

WHEREAS, the City Council has received and considered a report dated February 11, 2003 from the Public Works Director recommending approval of said final map;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Mountain View as follows:

1. Pursuant to Section 28.32(b) of the Mountain View City Code and Section 66458 of the Government Code, the Council hereby finds that said final map conforms to all the requirements of the Subdivision Map Act and of Chapter 28 of the Mountain View City Code applicable at the time of approval of the tentative map, and all rulings made thereunder.

2. Pursuant to Section 28.70 of the Mountain View City Code and Section 66473.5 of the Government Code, the City Council hereby finds that the proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan of the City, including the Open Space and Conservation Elements of the Environmental Management Chapter thereto, and with any applicable specific plans of the City.

3. The final map of Tract No. 9439, 2124 Rock Street, is hereby approved.

4. Pursuant to Section 28.32(b) of the Mountain View City Code and Section 66477.1 of the Government Code, all offers of dedication of land for public use made by said final map are hereby accepted.

LS/6/RESO/911-01-28-03R^